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7 **Attorney for Plaintiff TAMARA DOUKAS**

8 **THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **DIVISION OF SAN FRANCISCO**

11 TAMARA DOUKAS, an individual,

12 Plaintiff,

13 v.

14 COUNTY OF SAN MATEO, a public entity,
15 PENINSULA HUMANE SOCIETY, a private
16 non-profit organization, DEBI DENARDI, an
17 individual, KIM HADDAD, an individual,
18 KKH INC, a private entity, SPIKE REAL
19 STATE, a private entity, and DOES 1 through
20 50, inclusive,

21 Defendants.

CV 08 2336 SI

**DECLARATION OF DANIEL BERKO IN
SUPPORT OF PLAINTIFF TAMARA
DOUKAS' SEPARATE CASE
MANAGEMENT CONFERENCE
STATEMENT**

22 I, Daniel Berko declare:

- 23 1. I am an attorney duly licensed to practice law before all courts in the State of
24 California, and attorney of record for Plaintiff, Tamara Doukas.
- 25 2. I have personal knowledge of all facts stated herein, and if called as a witness, could
26 and would competently testify to the under oath.
- 27 3. In late June 2008 I tried to get discussions started on matters that counsel need to
28 discuss in preparation for the joint meeting. I sent an email to counsel for the County
of San Mateo and the 'lead counsel' for the Peninsula Humane Society (Gordon &

1 Rees in both cases) but Gordon & Rees refuses to communicate by email, and I am
2 unwilling to write correspondence through the US mail unless required by law.
3 Previously, in the state action, Gordon and Rees counsel and I have tried to
4 communicate by phone, but we have been unable to do so in a manner that is
5 intelligent, coherent or professional. At no time did anyone representing the County or
6 the Humane Society make any effort to meet and confer with me on any issues relevant
7 to the Joint Meeting. I have had no problem communicating and cooperating with
8 counsel for Haddad.
9

- 10 4. I was told by Haddad's counsel that a Joint Case Management Conference Statement
11 would be filed and that I was to send them my proposals by today. I did so and then
12 was informed by them that because the County and PHS filed a separate statement,
13 Haddad would do so as well. For that reason, Plaintiff is filing a separate statement as
14 well.
15

16 I declare under penalty of perjury under the laws of the State of California that the
17 foregoing is true and correct.

18 Executed this 8th day of August, 2008 at San Francisco, California.
19

20 _____ s/s _____
21

22 Daniel Berko
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